

Exhibit Only

Exhibit

Number

82-2279

COMMONWEALTH

vs.

MURDER

(265-1)

HAMPDEN, ss, Superior Court

August, 1982 Sitting, A. D. 1982

Returned by the Grand Jury and filed by order of Court

ATTEST:

Elizabeth R. Jangrow
Clerk

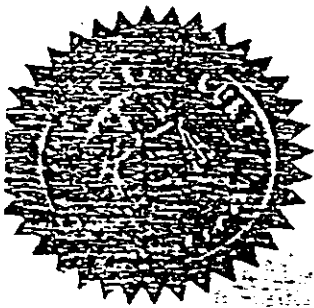
A true copy.
Attest: *[Signature]*

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS.

I, ELIZABETH R. JANGROW, ASSISTANT CLERK, of the Superior Court for the County of Hampden, do certify that this Indictment was found by the grand jurors of the Commonwealth of Massachusetts, attending said Court, at the May Sitting thereof, holden at Springfield, in said County, on the first Monday of May the year of our Lord one thousand nine hundred and eighty-two, and was returned by said grand jurors into said Court on the twelfth day of August said year one thousand nine hundred and eighty-two.

WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this twelfth day of August A.D. 1982.



ATTEST:

A true copy.
Attest:

Elizabeth R. Jangrow

ASSISTANT CLERK

Elizabeth R. Jangrow

ASSISTANT CLERK

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT
CRIMINAL No. 76823-24

COMMONWEALTH

VS


I, John B. Deady, Assistant Clerk of the Superior Court Department within and for the County of Plymouth, do hereby certify that the following are true copies of the INDICTMENT(S) and DOCKET ENTRIES in the above-entitled case(s).

I further certify that our docket indicates that the above named Defendant was / ~~was not~~ represented by counsel Joan McDonough, Brockton

IN WITNESS WHEREOF, I have hereunto set
My hand and affixed the seal of said Superior
Court Department, in Brockton this 17th
Day of July, A.D., ~~nineteen~~
~~thousand and noth~~ 2002


Assistant Clerk of Courts



United States Court of Appeals,
First Circuit.

U.S. v. BOCH OLDSMOBILE, INC.

Cite as 909 F.2d 657 (1st Cir. 1990)

III. *Voidness* **Void Judgments** 661

[4] A void judgment is from its inception a legal nullity. With this principle in mind,

that the judgment entered was void, and that relief is proper regardless of the time elapsed, because relief from a void judgment has no time limitations.

"Void process," for purposes of action for false arrest or imprisonment, is defined as that which court has no power to award, or has not acquired jurisdiction to issue in particular case, or which does not in some material respect comply in form with legal requisites of such process,

UNITED STATES v. SIVIGLIA

Cite as 686 F.2d 832 (1981)

3. Criminal Law ↔ 100(1)

A court lacking jurisdiction cannot render judgment but must dismiss the cause at any stage of the proceedings in which it becomes apparent that jurisdiction is lacking.

PRAYER FOR HABEAS CORPUS RELEASE

Now comes LOUIS W. MARKHAM, the Petitioner, Pro Se, and prays that this HONORABLE HABEAS CORPUS COURT grant him the following:

1. Take JUDICIAL NOTICE to the facts that the laws mandating the AFFIXING THE SEAL OF THE COURTS, upon ALL judicial writs and processes issuing from said court, are the obligations of the CLERKS AND ASSISTANT CLERKS OF COURTS from where the writ and processes are issued.
2. The JUDICIAL NOTICE to the facts, that in the Petitioner's case and adverse circumstances, the PROCESSES WERE ISSUED WITHOUT THE SEALS OF AUTHENTICATE AFFIXED TO THEM, AND THE TRIAL COURT ACTED PREMATURELY AND WITHOUT "COMPETENT JURISDICTION"(MGL,c.263,§9.).
3. Give JUDICIAL HABEAS CORPUS RELIEF to the Petitioner, ordering the respondent(s) to release him forthwith from ALL PENAL CUSTODY AND RESTRAINTS.

IT IS SO PRAYED FOR.

LWM/ajm

I, do hereby, pursuant to MGL,Ch. 248,§3 claim that all facts are TRUE AND ACCRURATE to the best of my ability.

~~MAY 18, 2004~~

AUG. 27, 2004 *Louis W. Markham*
Louis W. Markham pro se
P.O.Box 466
Gardner, MA 01440-0466

PAGES
1-TO-13

EXHIBITS

IN SUPPORT OF
REQUIREMENTS OF COURT
PROCESSES ISSUED BEARING
THE WAFER-SEALS OF AUTHENTICATION
PURSUANT TO:

TITLE 28 UNITED STATES CODE STATUTES

§1738

§1691

MASSACHUSETTS GENERAL LAWS

CHAPTER 4, §9A, §9B

CHAPTER 212, §26

MASS. RULES OF CRIMINAL PROCEDURE

RULE 40(a)(1)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

SUPERIOR COURT

CIVIL DIVISION

NO. 87-2958

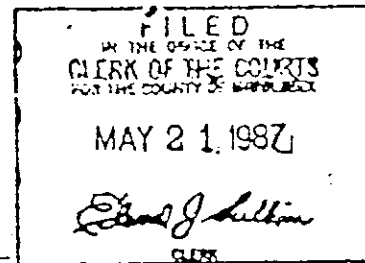
KEITH CANADA

PETITIONER,

VS.

MICHAEL T. MALONEY
SUPT. MCI WALPOLE (CJ),

RESPONDENT.



PETITION FOR WRIT OF HABEAS CORPUS

AD SUBJICIENDUM AGAINST ILLEGAL CUSTODY

I, KEITH CANADA, do hereby files the instant petition for the writ of habeas corpus ad subjiciendum (immediate release from false imprisonment WHICH WILL OCCUR WITHIN THE NEXT (4) DAYS.

JURISDICTION of this Honorable Court is invoked pursuant to the U.S. CONSTITUTION and all federal laws of the Land; the CONSTITUTION OF MASSACHUSETTS, MASS. GENERAL LAW, CHAP. 248, 1- inclusively.

1987 May 29

Petition Allowed

(Mitchell, J.)

EXHIBIT

WALPOLE MCI
Assistant Clerk

*Filed in Court and the Court
has by Waiver all entry fees
By the Court (MITCHELL J.)
WALPOLE MCI
Assistant Clerk*

*Court Memo 11-1-87
to issue for May 29, 1987
Courtroom 12A at 10:00
WALPOLE MCI
Assistant Clerk
(Mitchell, J.)*

STATEMENT OF FACTS RELIED UPON

FOR THE BENEFIT OF HABEAS CORPUS

1. On MAY 31,1983, I was arrested on charges of assault and Battery with a dangerous weapon on allegedly, two persons.
2. I was arraigned in the WOBURN DISTRICT COURT: I was then incarcerated into the BILLERICA HOUSE OF CORRECTION and JAIL. I was held there from JUNE 1,1983 until SEPT.22,1983.
3. I was sentence on a coerced plea of guilty, to concurrent terms of (5) years to (7) years at MCI-Walpole, By MITCHELL,J.

CRIMINAL DOCKET NOS.83-1627;83-1628.
4. I was obligated to serve a maximum period of confinement of (4) years and(1) month, my STATUTORY GOOD TIME DEDUCTIONS incorporated at the time the sentences were imposed.
5. My PAROLE ELIGIBILITY was to have been at the time served-period of (2) years and (11) months.
6. I claim that the law mandates that I be credited with 12½ days PER MONTH of "STATUTORY GOOD TIME CREDIT DEDUCTIONS" off the maximum (7) years, which ammounts to 150 days PER YEAR, and 150 days EQUALS 5 months off the 12 months of a years, leaving a remainder of 7 months; 7 x 7years equals 49 months, or 4 YEARS-

1 MONTH TO BE SERVED AT THE MAXIMUM OF MY SENTENCE.

7. I was never allowed parole release and have Been incarcerated JUNE 1,1983, serving this 5-7 yrs.term. I was never allowed minimum custody status and have Been confined only in MAXIMUM CUSTODY AT MCI-WALPOLE and on two occasions I was confined in MEDIUM CUSTODY at MCI NORFOLK, before it was revised into a LOWER MAXIMUM FACILITY as it is now in de facto.

8. FOR ALL TIMES IN THE PAST, prison officials and staff personnel have computed my DATE FOR RELEASE to Be "5-6-87" (MAY 6,1987).

9. I HAVE EARNED (52) GOOD DAYS from MAINTAINANCE WORK AND ATTENDING SCHOOL. Such recorded facts has positively adjusted my RELEASE DATE to Be MAY 6,1987.

10. I have also claimed that my CONVICTION AND IMPRISONMENT HAVE BEEN ILLEGAL FROM THE BEGINNING, BECAUSE AT NO TIMEEEEE WERE THE BILLS OF INDICTMENT AUTHENTICATED WITH THE SEAL OF THE COURT AND THE TRIAL COURT THEREFORE, WAS WITHOUT LEGAL JURISDICTION TO COMPEL ME TO PESENT A GUILTY PLEAS ON FALSE AND INVALID INDICTMENTS.

* 11. I further claimed that the MITTIMUS was illegally issued By the trial court and that the prison officials had ILLEGALLY COMMITTED ME INTO CUSTODY, WHERE THE "WRIT" (MITTIMUS) WAS ISSUED FROM THE OFFICE OF THE CLERK, IN THE COURT OF LAW, AND WAS NOT UNDER A SEAL OF THE COURT, AS THE CONSTITUTION OF THE COMMONWEALTH MANDATES!!!!!!

READ: Mass. Const. Part THE SECOND, Chapter VI, Art.V

2.
Reasons/
Grounds:
upon which
Habeas
Corpus
Issued!

* 12. ADDITIONALLY, the 'commonwealth' subjected me to imprisonment WITHOUT A WRITTEN SIGNATURE FROM THE SENTENCING JUDGE ON THE FACE OF THE MITTIMUS COMMANDING THE IMPRISONMENT!!!

13. There also appears a document of INVALIDITY where the persons of LESSER OFFICIAL CAPACITY AS THE COMMISSIONER OF CORRECTION, has conspired and signed papers purporting to take STATUTORY GOOD TIME CREDITS from me. Such acts are INVALID where the statotutory language states that ONLY THE COMMISSIONER OF CORRECTION, HIMSELF, CAN DEDUCT STATUTORY GOOD TIME AND ENHANCE THE PRISONERS SENTENCED. The statute has no language allowing the designee associate commissioner of correction or whomever happens to Be available to sign papers that the prison superintendents want penalized.

3.
Reasons,
Ground
upon
which
Habeas
Corpus
Issued!

CONCLUSION: PRAYER FOR HABEAS CORPUS RELIEF:

1. A TRAVESTY OF JUSTICE HAS BEEN CONCEAL FROM ME BY THE COMMONWEALTH and the personnel of the MCI WALPOLE (prison) still seeks to inflict additional irreparable INJURY OF LOSTY OF LIBERTY. FALSE IMPRISONMENT IS WHAT THIS PETITION IS SEEKING TO PRECLUDE A CRIME AFOOT.

2. INVALID MITTIMUS, INVALID CONFISCATION OF STATUTORY GOOD TIME, WITH SOME MYSTERIOUS INITIALED "FRED BUTTERWORTH'S" NAME, MEANING EVEN HE DID NOT SIGN THE LOST OF GOOD TIME, EVEN THOUGH STATUTORY LANGUAGE IS VOID OF RENDERING SUCH ACTIONS.

3. I SEEK THE BENEFIT OF THE WRIT OF HABEAS CORPUS ^{RELEASED} AD SUBJICIENDUM BECAUSE I AM TO BE IN (4) DAYS/ I AM RESPECTFULLY DEMANDING THAT THIS COURT HONORABLE SITTING ISSUE THE WRIT, FORTHWITH, WITH PREJUDICE.

SIGNED UNDER THE PAINS

AND PENALTY OF PERJURY:

Keith Canada

KEITH CANADA PRO SE
MCI Walpole
Box 100
So. Walpole, MA. 02071

MAY 2, 1987

PROOF OF SERVICE: I have completed service of a copy of this petition for writ of habeas corpus, upon the respondent BY HAND on this same day, within this institution.

¶10. "I HAVE ALSO CLAIMED THAT MY CONVICTION AND IMPRISONMENT HAVE BEEN ILLEGAL FROM THE BEGINNING, BECAUSE AT NO TIME WERE THE BILLS OF INDICTMENT AUTHENTICATED WITH THE SEAL OF THE COURT AND THE TRIAL COURT, THEREFOR, WAS WITHOUT LEGAL JURISDICTION TO COMPEL ME TO PRESENT A GUILTY PLEA ON FALSE AND INVALID INDICTMENTS."

¶11. "I FURTHER CLAIM THAT THE MITTIMUS WAS ILLEGALLY COMMITTED ME INTO CUSTODY, WHERE THE "WRIT"(MITTIMUS) WAS ISSUED FROM THE OFFICE OF THE CLERK, IN THE COURT OF LAW, AND WAS NOT UNDER A SEAL OF THE COURT, AS THE CONSTITUTION OF THE COMMONWEALTH MANDATES !!! READ:
MASS.CONST.PART THE SECOND, CHAPTER 6, ARTICLE 5."

¶12. "ADDITIONALLY, THE COMMONWEALTH SUBJECTED ME TO IMPRISONMENT WITHOUT A WRITTEN SIGNATURE FROM THE SENTENCING JUDGE ON THE FACE OF THE MITTIMUS COMMANDING THE IMPRISONMENT !!!"

Commonwealth of Massachusetts

MIDDLESEX SS.

To the Sheriffs of our several Counties, their Deputies, and to the Superintendent of the Massachusetts Correctional Institution, Walpole - Concord - Framingham - and Bridgewater.

GREETING:

WHEREAS, by the consideration of our Superior Court, holden at Cambridge - within and for the County of Middlesex, on the first Monday of October, - in the year of our Lord one thousand nine hundred and eighty three, Frank Canada, now in custody of the Sheriff of our said County of Middlesex, - now before the Court by virtue of Writ of Habeas Corpus, - convict of the crime of Robbery with a Dangerous Weapon was on the thirty first day of October in the year of our Lord one thousand nine hundred and eighty three, sentenced to confinement in the Massachusetts Correctional Institution, - Walpole - Concord - Framingham - Bridgewater, for a term not exceeding seven years or less than seven years, and to stand committed accordingly to said sentence, this sentence is to be served concurrently with the sentence imposed this day in No. , this sentence is to be served concurrently with the sentence now being served in said institution, this sentence is to take effect from and after the expiration of the sentence now being served in said institution, without not withstanding Prior Criminal Record

This sentence is deemed by the Court to have commenced on . The defendant having spent 143 days in confinement prior to such sentence awaiting and during trial.

WE THEREFORE COMMAND YOU, the said Sheriff and Deputies to remove the said Canada from our Jail in Cambridge, in said County of Middlesex, to our said Massachusetts Correctional Institution in - Walpole - Concord - Framingham - Bridgewater, and you the said Superintendent to receive the said Canada and immediately thereon cause him - her - to be confined therein for a term of not exceeding seven years or less than seven years as aforesaid.

And for so doing, this shall be your warrant. And you are to make return of this warrant with your doings therein to the office of the Clerk of our Superior Court in Cambridge, as soon as may be.

Witness Thomas R. Morsø, Jr., Esquire, at Cambridge, this thirty first day of October, in the year of our Lord one thousand nine hundred and eighty three

John E. Morsø
Deputy Assistant Clerk

W- 45418

53.

Card.

Number

84 4282

COMMONWEALTH

vs.
ROBERTO PABON SANTIAGO
also known as FERNANDO ERAZO
also known as CANO

MURDER

(265-1)

HAMPDEN, ss, Superior Court

September Sitting, A. D. 19 84

Returned by the Grand Jury and filed by order of Court

ATTEST:

Edward J. McKay Clerk

1st Asst. Clerk
1984-Sept. 20 Order to Notify.
4 26-85

ORDERED FILE TO LOCATE
(Ready. J)

2/7/88 filed in Hampden
Court 2/7/88 (Murray. S)
attest: *William L. Corson*

William L. Corson

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS.

I, Edward J. McKay, Assistant Clerk of the Superior Court for the County of Hampden, do certify that this Indictment was found by the grand jurors of the Commonwealth of Massachusetts, attending said Court, at the Sept. Sitting hereof, holden at Springfield, in said County, on the second Monday of Sept. in the year of our Lord one thousand nine hundred and eighty-four, and as returned by said grand jurors into said Court on the twentieth day of Sept. in said year one thousand nine hundred and eighty-four..
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this twentieth day of Sept. A.D. 1984.

Attest:

Edward J. McKay

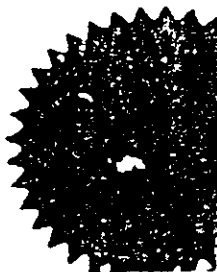


Exhibit Only

Number

30-5459

COMMONWEALTH

vs.

MURDER

(265-1)

HAMPDEN, ss, Superior Court

December, sitting, A. D. 19 90

Returned by the Grand Jury and filed by order of Court

ATTEST:

William L. Eason
Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

A true copy.

Attest:

Assistant Clerk

HAMPDEN, SS.

I, William L. Eason, Assistant Clerk of the Superior Court for the County of Hampden, do certify that this Indictment was found by the grand jurors of the Commonwealth of Massachusetts, attending said Court, at the September Sitting thereof, holden at Springfield, in said County, on the sixth of December in the year of our Lord one thousand nine hundred and ninety, and was returned by said grand jurors into said Court on the sixth day of December in said year one thousand nine hundred and ninety.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this sixth day of December A.D. 1990.

William L. Eason
Assistant Clerk

A true copy.

Attest:

William L. Eason
8.



Commonwealth of Massachusetts

90-5459

HAMPDEN, to wit:

At the Superior Court begun and Holden at Springfield, within and for the County of Hampden, for the transaction of criminal business, on the First Mon day of December in the year of our Lord one thousand nine hundred and ninety

The Jurors of said Commonwealth, on their Oath, present THAT

[REDACTED]

of 73 Central Street, Apartment A in the County of Hampden aforesaid,
Springfield
on the twenty-sixth day of November
in the year of our Lord one thousand nine hundred and ninety
at Springfield in the County of Hampden aforesaid,

did assault and beat [REDACTED]
with the intent to murder [REDACTED]
by shooting and discharging a FIREARM loaded
with LEADEN BULLETS into the body of the
said [REDACTED]
and by such assault and beating did kill and
murder the said [REDACTED]

A True Bill:

Frank Wolak
Foreman.
District Attorney for the Western District

A true copy,

Attest: *William L. Carson*

Assistant Clerk

Number

30-5459

COMMONWEALTH

vs.

MURDER

(265-1)

HAMPDEN, ss, Superior Court

December, 1990 Sitting, A.D. 19 90

Returned by the Grand Jury and filed by order of Court

ATTEST:

William L. Carson
Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

A true copy.

Attest:

William L. Carson

Assistant Clerk

HAMPDEN, SS.

I, William L. Carson, Assistant Clerk of the Superior Court for the County of Hampden, do certify that this Indictment was found by the grand jurors of the Commonwealth of Massachusetts, attending said Court, at the September Sitting thereof, holden at Springfield, in said County, on the sixth of December in the year of our Lord one thousand nine hundred and ninety, and was returned by said grand jurors into said Court on the sixth day of December in said year one thousand nine hundred and ninety.

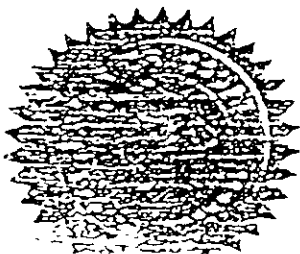
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this sixth day of December A.D. 1990.

William L. Carson
Assistant Clerk

A true copy.

Attest:

William L. Carson



Commonwealth of Massachusetts

90-5459

HAMPDEN, to wit:

At the Superior Court begun and Holden at Springfield, within and for the County of Hampden, for the transaction of criminal business, on the First Mon day of December in the year of our Lord one thousand nine hundred and ninety

The Jurors of said Commonwealth, on their Oath, present THAT

[REDACTED]
[REDACTED]
[REDACTED]
of 73 Central Street, Apartment A in the County of Hampden aforesaid,
Springfield
on the twenty-sixth day of November
in the year of our Lord one thousand nine hundred and ninety
at Springfield in the County of Hampden aforesaid,

did assault, and beat [REDACTED]
with the intent to murder [REDACTED]
by shooting and discharging a FIREARM loaded
with LEADEN BULLETS into the body of the
said [REDACTED]
and by such assault and beating did kill and
murder the said [REDACTED]

A True Bill:

Frank Wolak
Foreman
District Attorney for the Western District

4 true copy,

Attest: *William L. Carson*

Assistant Clerk

CONSTITUTION OF MASSACHUSETTS

Art. 5

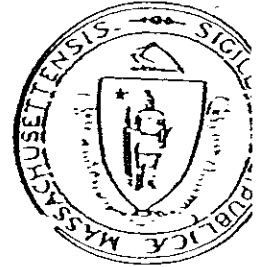
Art. V. Form and execution of writs

ART. V. All writs issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts: they shall be under the seal of the court from whence they issue: they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.



A TRUE COPY
OF THE
IN
sit my
of the
of
fifth
Gay of Februa
ASS^t

*The Constitution
of the Commonwealth
of Massachusetts*



The Seal

Mandatory Authority

OF
AUTHENTICATION

28 USCS § 1738

§ 1738. State and Territorial statutes and judicial proceedings; full faith and credit

The Acts of legislature of any State, Territory, or Possession of the United States, or copies thereof, shall be authenticated by affixing the seal of such State, Territory or Possession thereto.

The records and judicial proceedings of any court of any such State, Territory or Possession, or copies thereof, shall be proved or admitted in other courts within the United States and its Territories and Possessions by the attestation of the clerk and seal of the court annexed, if a seal exists together with a certificate of a judge of the court that the said attestation is in proper form.

Such Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory or Possession from which they are taken.

(June 25, 1948, ch 646, § 1, 62 Stat. 947.)

the foregoing shall . . .
apply in any case where the seal of a court, public office or public officer is expressly required by the constitution or by statute to be affixed to a paper,

IN THE
SUPREME COURT OF THE UNITED STATES

SEALS

Aetna Ins. Co. v Doe ex dem. Hallock (Aetna
Ins. Co. v Hallock) 6 Wall 556, 18 L Ed 948

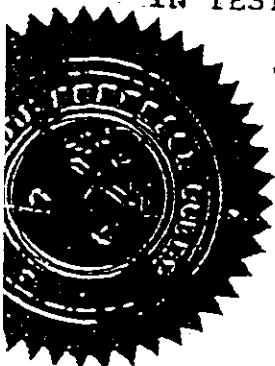
Any process issuing from a court which by
law is required to authenticate such process
with its seal is void if issued without a seal.

Commonwealth of Massachusetts

SUPERIOR COURT THE TRIAL COURT DEPARTMENT

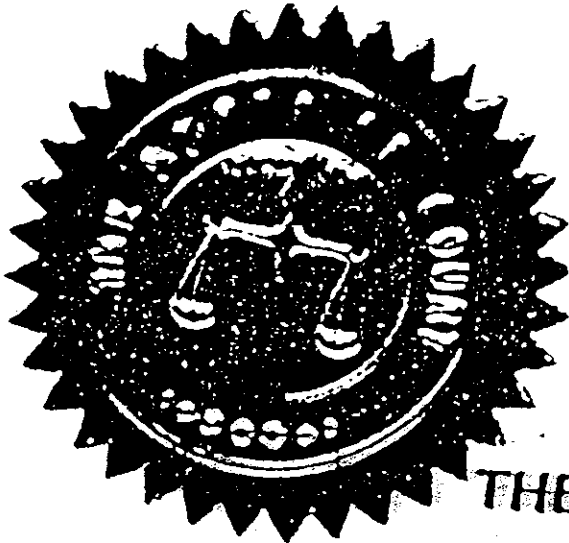
I hereby certify that the foregoing is a true copy of the
record of the Superior Court Department of the Trial Court, for the
transaction of Criminal Business.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the
seal of said Superior Court, at Boston
aforesaid, this twenty-ninth day
of June in the year of
our Lord one thousand nine hundred and
eighty-four.



11.

William R. White
Assistant Clerk.



Commonwealth of Massachusetts
Authentication.

Proof of Official Record

Exhibit-

THE
SEAL

Authenticated by the seal of the court

The writ should bear the seal of the court authorized to issue it, and a writ bearing an improper seal is regarded as though it bore no seal.

Courts hold that an omission of the seal renders the writ void and ineffective to confer jurisdiction.



212 § 26.

SUPERIOR COURT

GENERAL LAWS
OF
MASSACHUSETTS

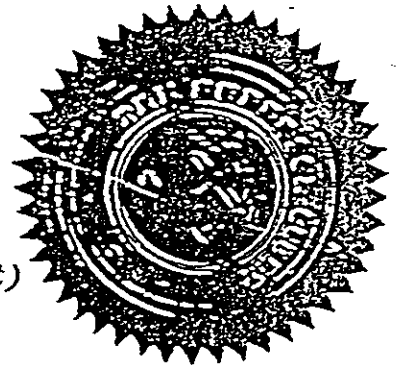
§ 26. Records; custody

The records of courts which are transferred to the superior court shall remain in custody of its clerks. In Suffolk county, the clerk of said court for civil business shall have the custody of said records in civil cases and the clerk for criminal business shall have the custody of said records in criminal cases. Copies of said records may be certified by said clerks respectively. Judicial writs and processes which are founded upon such records shall issue under the seal of the superior court, in like manner and with the same effect as similar writs and processes founded upon its own records.

THIS [LAW] IS CLEAR AND UNAMBIGUOUS

Rule 40 RULES OF CRIMINAL PROCEDURE
PROOF OF OFFICIAL RECORDS

(Applicable to District Court and Superior Court)



(a) Authentication.

(1) *Domestic.* An official record kept within the Commonwealth, or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having legal custody of the record, or by his deputy. If the record is kept in any other state, district, commonwealth, territory or insular possession of the United States, or within the Panama Canal Zone or the Trust Territory of the Pacific Islands, any such copy shall be accompanied by a certificate that such custodial officer has the custody. This certificate may be made by a judge of a court of record of the district or political subdivision in which the record is kept, authenticated by the seal of the court, or may be made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office.

./99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS PETITIONER

LOUIS W. MARKHAM

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

LOUIS MARKHAM PRO SE
NCCI P.O. BOX 466
GARDNER, MA 01440

DEFENDANTS RESPONDENTS

STEVEN O'BRIEN, SUPT. NCCI @ GARDNER, MA

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

ATTORNEY GENERAL
STATE OF MASSACHUSETTS
BULFINCH PLACE
BOSTON, MA 02108

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input checked="" type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS — Third Party 26 USC 7609	

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

PETITION FOR WRIT OF HABEAS CORPUS (28, §§2241, 2254) AGAINST FALSE IMPRISONMENT IMPOSED BY A COURT WITHOUT JURISDICTION OVER PETITIONER.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

[NONE]

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ YES ☐ NO**VIII. RELATED CASE(S) IF ANY** (See instructions):

[NONE]

JUDGE

[NONE]

DOCKET NUMBER

[NONE]

DATE

Aug. 27, 2004

SIGNATURE OF ATTORNEY OF RECORD

Louis W Markham

Pro Se

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____